

Message Text

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ACTION NEA-10

INFO OCT-01 AF-08 ISO-00 H-02 L-03 EB-07 SP-02 USIA-06

AID-05 NSC-05 CIEP-01 TRSE-00 SS-15 STR-04 OMB-01

CEA-01 CIAE-00 COME-00 FRB-03 INR-07 NSAE-00 XMB-02

OPIC-03 LAB-04 SIL-01 PA-01 PRS-01 SAM-01 /094 W

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R 071301Z SEP 76

FM USINT BAGHDAD

TO SECSTATE WASHDC 3572

INFO AMEMBASSY ABU DHABI

AMEMBASSY ALGIERS

AMEMBASSY AMMAN

AMEMBASSY CAIRO

AMEMBASSY DAMASCUS

AMEMBASSY DOHA

AMEMBASSY JIDDA

AMEMBASSY KHARTOUM

AMEMBASSY KUWAIT

AMEMBASSY MANAMA

AMEMBASSY MUSCAT

AMEMBASSY NOUAKCHOTT

AMEMBASSY RABAT

AMEMBASSY SANA

AMEMBASSY TRIPOLI

AMEMBASSY TUNIS

AMEMBASSY TEL AVIV

C O N F I D E N T I A L BAGHDAD 1288

E.O. 11652: GDS

TAGS: ETRD

SUBJ: HIRC APPROVES TOUGH ANTI-BOYCOTT ANTI-DISCRIMINATION AMENDMENT
TO EXPORT ADMINISTRATION ACT

REF: (A) STATE 216549, (B) BAGHDAD 1284, (C) KUWAIT 4193

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1. REF. A. PARA 11, SOLICITS POST'S VIEWS ON VALUE OF MAINTAINING

ADMINISTRATION OPPOSITION TO ANY NEW LEGISLATION AS MEANS OF MITIGATING REACTIONS OF ARAB GOVERNMENTS. REF. A, PARA 15, REQUESTS POSTS TO DO REPORTING ON OFFICIAL AND PRESS REACTION TO THE HIRC ACTION.

2. USINT DOES NOT BELIEVE THAT TWO OF THE FOUR PROVISIONS OF THE HIRC AMENDMENT WOULD CREATE INSUPERABLE PROBLEMS FOR GOI. THESE PROVISIONS ARE REF. A, PARA 4 (I) AND (III). THE SECOND AND FOURTH PROVISIONS, HOWEVER, I.E. REF. A, PARA 4 (II) AND (IV), ARE DYNAMITE SO FAR AS OUR DEALING WITH GOI IS CONCERNED. THE HIRC AMENDMENT PRESUMABLY CONTAINS LANGUAGE WHICH WOULD PREVENT PROVISION (II) FROM BEING APPLIED TO RHODESIA OR OTHER COUNTRIES BOYCOTTED BY THE U.S. IF AMERICAN COMPANY WERE TO DECLINE (PROVISION IV) TO FURNISH TO THE GOI INFORMATION FROM WHICH GOI COULD CONCLUDE THAT MATERIALS BEING IMPORTED DO NOT COME FROM ISRAEL, RHODESIA, HONG KONG, OR OTHER COUNTRIES BOYCOTTED BY GOI, THEN IT IS NOT CLEAR HOW IRAQI LAW ON THIS POINT COULD BE ADMINISTERED. AS NOTED REF. B, ARAB BOYCOTT OF ISRAEL (AS INDEED OF OTHER COUNTRIES AS WELL) IS PART OF IRAQI CORPUS JURIS.

3. IT IS IDLE TO SPECULATE HOW A MORE MODERATE, MORE PRO-WESTERN GOI MIGHT REACT TO PROPOSED HIRC AMENDMENT. WE ARE, IN THE CASE OF IRAQ, DEALING NOT WITH TUNISIA OR KUWAIT, BUT WITH REGIME CONTROLLED AND LED BY ARAB BAATH SOCIALIST PARTY WHOSE RAISON D'ETRE AND RHETORIC ARE UNITY OF AN ARAB NATION ARTIFICIALLY DIVIDED BY IMPERIALISTS AND ZIONISTS. IT IS UNTHINKABLE THAT BAATH REGIME WOULD RESPOND PRAGMATICALLY WITH AN EYE SOLELY OR EVEN MAINLY TO IRAQ'S ECONOMIC INTEREST IF U.S. WERE TO ENACT HIRC AMENDMENT. AT A MINIMUM, U.S.-IRAQI ECONOMIC AND TRADING RELATIONSHIP WOULD FALL BACK TO PRE-1973 POSITION WHEN IRAQI BOYCOTTED IMPORT OF ALL BUT MOST URGENTLY NEEDED AMERICAN PRODUCTS. AT WORST, BOYCOTT COULD BE TOTAL. CERTAINLY, GOI WOULD NOT REWRITE THEIR LAWS TO MAKE IT POSSIBLE FOR U.S. FIRMS TO AVOID HAVING TO FACE BOYCOTT LANGUAGE.

4. USINT COULD NOT AGREE MORE WHOLEHEARTEDLY WITH REF. A, PARA 8'S STATEMENT OF ADMINISTRATION'S VIEW THAT ANTI-BOYCOTT LEGISLATION WOULD GREATLY HINDER CONTINUING U.S. EFFORTS WITHOUT BRINGING SOLUTION TO BOYCOTT PROBLEM. SO FAR AS IRAQ IS
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CONCERNED, USINT BELIEVES THAT DEPARTMENT (REF. A, PARA 10) MUST CONTINUE TO OPPOSE ANY NEW ANTI-BOYCOTT LEGISLATION SO LONG AS THIS IS REALISTICALLY POSSIBLE. IF ANY RELATIONSHIP IS EXAMPLE OF HOW PATIENT, BEHIND-SCENES, DIPLOMATIC, TOLERANT APPROACH CAN GRADUALLY IMPROVE AN INITIALLY NASTY SITUATION, IT IS EMERGING U.S.-IRAQI RELATIONSHIP. NOW IS NOT TIME TO SEEK TROUBLE THAN CAN HONORABLY BE AVOIDED.

5. THUS FAR IRAQI MEDIA ATTENTION TO HIRC AMENDMENT HAS BEEN MINIMAL. SEMI-OFFICIAL ENGLISH LANGUAGE BAHGDAD OBSERVER QUOTES APPROVINGLY ON FRONT PAGE OF SEPTEMBER 4 EDITION WORDS OF MOHAMMED MAHJOUB, ARAB BOYCOTT COMMISSIONER IN CAIRO, "NO LAW PROMULGATED IN A FOREIGN COUNTRY COULD POSSIBLY INTERFERE WITH THE ARAB BOYCOTT OF ISRAEL." MAHJOUB IS SAID TO HAVE MADE THIS REMARK WHEN COMMENTING ON HIRC AMENDMENT. BAATH PARTY DAILY AL-THAWRA OF SEPTEMBER 5 PARAPHRASES REUTER DESPATCH IN ARTICLE ENTITLED "AMERICAN LAWS VERSUS ARAB BOYCOTT OF ZIONIST ENTITY." ARTICLE IS CONFUSED BUT INDICATES EXPECTATION THAT THREE RPT THREE ANTI-BOYCOTT BILLS WILL SHORTLY BE AT THE WHITE HOUSE FOR SIGNATURE. COMMENT: IRAQI MEDIA TRADIOHIONALLY PAY LITTLE ATTENTION TO U.S. MOVES AGAINST ARAB BOYCOTT OF ISRAEL. THIS APPEARS TO BE BECAUSE REGIME CONSIDERS OUR ANTI-BOYCOTT POSITION MERE TIP OF ICEBERG OF AN OVERWHELMINGLY ANTI-ARAB BIAS.
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